

REPORT

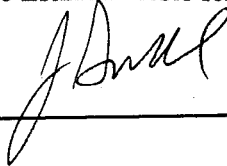
DATE: March 2, 2006

TO: Administration Committee and Regional Council

FROM: SCAG Tribal Government Relations Task Force

SUBJECT: Prepare By-Law Amendments to Establish Role for Tribal Governments in SCAG

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

The Task Force recommends that the Regional Council approve the formal participation of Tribal Governments in SCAG as set forth below and authorize the SCAG By-laws Committee to prepare the appropriate by-law changes and forward such changes to the 2006 General Assembly for approval.

SUMMARY:

The SCAG Tribal Government Relations Task Force recommends that the Regional Council approve the following:

(1) Recognition of the establishment of a Tribal Government Regional Planning Board created by federally recognized Native American Tribal Governments within the SCAG region:

- a) A locally elected Tribal Council Member from the Tribal Government Regional Planning Board would serve on the Regional Council and also sit on the Administration Committee as a full voting member;
- b) Two voting seats on each policy committee (TCC; CEHD; and EEC) would be available for locally elected Tribal Council members;
- c) Tribal Governments may participate as Advisory members at the General Assembly;
- d) The same financial disclosure requirements that are applicable to Regional Council and policy committee members would be applicable to the individuals representing the Native American Tribal Governments;
- e) Dues based upon the population categories applied to cities and for purposes of a Division of the House, the Tribal Government Regional Planning Board representative would be treated as a city;
- f) The Tribal Government Regional Planning Board selects the representatives that vote on SCAG's policy committees.

(2) Authorize the SCAG By-laws Committee to incorporate these concepts into draft by-laws to be adopted by the 2006 General Assembly.

BACKGROUND:

In November 2002 the SCAG Regional Council approved Strategic Plan Goal 5 that calls for establishing a role for Native Americans in the regional planning process. Since the adoption of Strategic Plan Goal 5, SCAG in cooperation with different Tribal Governments (Agua Caliente; Morongo and Torres-Martinez) organized five summit meetings (Sept. 2003; Feb. 2004; Mar. 2004; June 2004; Sept. 2004) where SCAG met with Tribal Council members to talk about defining how Tribal Governments may participate in the regional planning process. The summits provided SCAG the opportunity to present information on regional plans under process and to receive input.

Presented below is a brief description of meetings that have followed after the Summits held with Tribal Governments leading up to the recommendations in this report.

REPORT

Prior to the 2005 General Assembly SCAG was invited to a meeting, organized by the Torres-Martinez Desert Cahuilla Indians, on April 28, 2005 to receive comments from the Tribal Governments in response to language previously presented by SCAG staff at the September 9, 2004 Summit. At the April 28, 2005 meeting the Tribal Governments in attendance (Agua Caliente Band of Cahuilla Indians; Ramona Band of Cahuilla Indians; Santa Rosa Band of Cahuilla Indians and the Torres-Martinez Desert Cahuilla Indians) asked SCAG to provide: (1) A work plan; (2) A schedule of adoption; and (3) language for an agreement. On May 4, 2005 at the SCAG General Assembly, Tribes that attended the April 28th meeting indicated their interest via resolution of their desire to establish a formal relationship with SCAG.

The SCAG Regional Council on June 2, 2005 formed the Tribal Government Relations Task Force with the responsibility for facilitating and negotiating the participation of Tribal Governments in the formal SCAG process. The Tribal Government Relations Task Force held its first meeting on September 30, 2005 and approved the distribution of draft by-laws, that would establish a role for Tribal Governments in SCAG, to each of the federally recognized Tribal Governments in the Region for their comments.

SCAG was invited and attended the December 5, 2005 Tribal Alliance for Sovereign Indian Nations (TASIN) meeting to present the draft by-laws. The Torres-Martinez Desert Cahuilla Indians organized a second meeting on December 16, 2005 where the SCAG Tribal Task Force members participated in another opportunity to present the draft by-laws and answer questions.

The SCAG Tribal Government Relations Task Force met for the second time on February 15, 2006 to review the comments received on the draft by-laws and to decide on a course of action. The task force received additional input from Tribal Government representatives (Agua Caliente; Morongo; Pechanga; Torres-Martinez; and Quechan) that attended this meeting. The Tribal Government Relations Task Force in order to meet time frame requirements, for the adoption of the by-laws by the May 2006 General Assembly, recommends that the SCAG Regional Council take two actions at its March 2, 2006 meeting: (1) Approve in concept the provisions that establish a role for Tribal Governments in SCAG; and (2) Authorize the SCAG By-laws Committee to prepare and forward a set of by-laws for adoption by the 2006 General Assembly to implement the approved concepts. The SCAG Tribal Task Force members in attendance at the February 15th task force meeting included the Hon. Ron Roberts, Chair (Dist. 5); Hon. Richard Dixon, Vice Chair (Dist. 13); Hon. Margaret Clark (Dist. 32); Hon. Lawrence Dale (Dist. 11); Hon. Tim Jasper (Dist. 65); Hon. Robin Lowe (RCTC); Hon. Deborah Robertson (Dist. 8); and Hon. Alan Wapner (Dist. 10).

The Task Force agreed to organize another summit with Tribal Governments before the May General Assembly.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 05-06 Overall Work Program.

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